

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

JAMES E. RODGERS, Inmate #B-79028,)	
)	
Plaintiff,)	
)	
vs.)	CIVIL NO. 05-201-DRH
)	
CHARLES HINSLEY, <i>et al.</i>,)	
)	
Defendants.)	

MEMORANDUM and ORDER

HERNDON, District Judge:

Before the Court are two motions seeking service of the complaint (Doc. 5, 6), or for additional time to effectuate service (Doc. 6), or for dismissal of this action without prejudice (Doc. 6). These motions seem to be based on Plaintiff's confusion over court proceedings and applicable time periods.

Before the Court directs the Marshal to effect service upon Defendants, the Court must complete a preliminary review of the complaint. *See* 28 U.S.C. § 1915A. Assuming some portion of the complaint survives the Court's review, service will be directed at that time; the entry of the order directing service will commence the running of the 120-day period for service. *See* FED.R.CIV.P. 4(m). Accordingly, the instant motions are **DENIED**.

IT IS SO ORDERED.

DATED: August 29, 2005

/s/ David RHerndon
DISTRICT JUDGE